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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,422	08/20/2003	Brian J. Wasserman	11085	6964
26890	7590	07/10/2008		
JAMES M. STOVER TERADATA CORPORATION 2835 MIAMI VILLAGE DRIVE MIAMISBURG, OH 45342			EXAMINER LEMIEUX, JESSICA	
			ART UNIT 3693	PAPER NUMBER
			NOTIFICATION DATE 07/10/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/644,422

Applicant(s)

WASSERMAN ET AL.

Examiner

JESSICA L. LEMIEUX

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3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Final Office action is in response to the application filed on August 20th, 2003 and in response to the applicant's arguments/amendments filed on April 10th, 2008. Claims 1-45 are pending.

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive.

3. Applicant states that the prior art "do[es] not describe a selector function that uses selection criteria specified by rules to select accounts, amounts and rates from a database." Examiner notes that as Applicant has stated Johnson "describe[s] retrieving individual asset data from a database based on a given criteria, performing an NPV calculation." The act of "retrieving data" based on "given criteria" is in it of itself selection criteria. The rules by which this data is retrieved can be anything such as a rule to only access the required information instead of always retrieving everything and anything possible in the database. Examiner asserts that there must be some set of rules/guidelines to select information, otherwise the correct/required information wouldn't be accessed. Examiner further asserts that Johnson does teach retrieving rates (attrition rates etc). Applicant's specification conceptually defines attrition rates as "the rate at which a cash flow will be decreased" (page 8, lines 25-26). Johnson teaches a discount factor (column 9, lines 3-26), which would have inherently needed to be accessed from a database to use in the determination of NPV. One skilled in the art at the time of the invention was made would understand that a discount factor is a rate used to discount or decrease future cash flows to obtain a net present value. Therefore

it would have been obvious to one skilled in the art at the time of invention that Johnson does disclose "a selector function that uses selection criteria specified by rules to select accounts, amounts and rates from a database."

4. Applicant states that the prior art "do[es] not refer to the calculation of FV."

Examiner notes that the equation in the Johnson reference is a Future Value (C_1) equation solving for Net Present Value (NPV). It would have been obvious to one skilled in the art at the time the invention was made that this equation could easily be manipulated to solve for Future Value or any of the other variables in the equation. Therefore it would have been obvious to one skilled in the art at the time of invention that Johnson does disclose "the calculation of FV."

5. Applicant further states that the prior art "do[es] not teach or suggest results from the NPV and FV calculations being integrated to provide an LTV." Applicant admits that Sulkowski teaches the calculation of a NPV for each account. As was explained above, NPV is determined by using FV and vice versa. Sulkowski further states that "the lifetime-value is thus risk-base, in that it takes the past, current and future charge-off risk of an account into consideration." The reference goes on to clarify that it "generates a net present value for each account in one or more future periods... [utilizing] an adjusted cash flow discount rate, and the number of periods into the future for which to calculate forecasted Lifetime-value" (paragraphs [0066-0067]). Examiner notes that a net present value in multiple future periods utilizing discount rates would be a future value (FV). Sulkowski further states that "the lifetime-value (LTV) is then the sum of discounted cash flows for each account" (paragraph [0069 and 0077]).

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Therefore it would have been obvious to one skilled in the art at the time of invention that Johnson does disclose results from the NPV and FV calculations being integrated to provide an LTV.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 6-8, 12, 16-19, 21-23, 27, 31-34, 36-38 and 42 are rejected under 35 U.S. C. 103(a) as being unpatentable over US Patent Number 7,082,411 to Johnson et al (hereinafter Johnson) in view of US Patent Application Number US2004/0039688 to Sulkowski et al (hereinafter Sulkowski).

As per claims 1, 16 and 31

Johnson discloses selecting accounts, amounts and rates (asset data) from a database through a selector function, wherein the selector function uses selection criteria specified by rules to select the accounts, amounts and rates from the database (column 4, lines 10-19) and performing one or more Net Present Value (NPV) (column 9, lines 3-26) and Future Value (FV) (C₁, expected payoff) calculations on the selected accounts using the selected amounts and rates (column 9, lines 3-26 & 58-60),

Johnson does not specifically teach results from the NPV and FV calculations are integrated to provide a Life-Time Value (LTV) of one or more customers.

Sulkowski teaches results from the NPV and FV calculations are integrated to provide a Life-Time Value (LTV) of one or more customers (paragraphs [0009-0010, 0027, 0066-0077 and 0104-0112]).

Therefore it would have been obvious to one skilled in the art at the time the invention was made that results from the NPV and FV calculations are integrated to provide a Life-Time Value (LTV) of one or more customers as taught by Sulkowski to accurately evaluate future profitability of assets by taking into account present and future values.

As per claims 2, 17 and 32

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Johnson discloses the NPV is a net present profitability value (column 9, lines 1-2).

As per claims 3, 18 and 33

Johnson discloses the FV (C_1) is a possible future profitability value (expected payoff) (column 9, lines 3-10).

As per claims 4, 19 and 34

Johnson discloses the selected accounts contain current profitability values of accounts for the customers (current appraisal amount) (column 18, lines 8-20). Examiner notes that C_0 is the investment at time 0 and therefore it would have been obvious to one skilled in the art at the time the invention was made that a current profitability value would be the value at the present time, time 0.

As per claims 6, 21 and 36

Johnson discloses the rates comprise attrition rates (discount factor) (column 9, lines 3-11).

Examiner notes that applicant's specification conceptually defines attrition rates as "the rate at which a cash flow will be decreased" (page 8, lines 25-26). Johnson teaches a discount factor. One skilled in the art at the time the invention was made would understand that a discount factor is a rate used to discount or decrease future cash flow.

As per claims 7, 22 and 37

Johnson discloses the rates comprise propensity rates (risk) (column 9, lines 20-22 & column 16, lines 49-51).

As per claims 8, 23 and 38

Johnson discloses the NPV and FV calculations are based on the rules (column 4, lines 10-19 & column 9, lines 3-26 & 58-60).

As per claims 12, 27 and 42

Johnson discloses the selector function generates statements (criteria... for use in valuating other asset data) that are executed by a database management system to perform the selection of the accounts, amounts and rates (column 4, lines 10-19).

7. Claims 5, 20 and 35 are rejected under 35 U.S. C. 103(a) as being unpatentable over US Patent Number 7,082,411 to Johnson et al (hereinafter Johnson) in view of US Patent Application Number US2004/0039688 to Sulkowski et al (hereinafter Sulkowski) further in view of US Patent Number 5,852,811 to Atkins (hereinafter Atkins).

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As per claims 5, 20 and 35

Johnson does not specifically teach the amounts comprise forecast amounts.

Atkins discloses the amounts comprise forecast amounts.

Therefore it would have been obvious to one skilled in the art at the time the invention was made that the amounts comprise forecast amounts as taught by Atkins as a type of selected amount found in a database to select in order to determine values and rates regarding the asset utilizing the time value money equations.

8. Claims 13, 28 and 43 are rejected under 35 U.S. C. 103(a) as being unpatentable over US Patent Number 7,082,411 to Johnson et al (hereinafter Johnson) in view of US Patent Application Number US2004/0039688 to Sulkowski et al (hereinafter Sulkowski) further in view of US Patent Number 6,405,189 to Gillis (hereinafter Gillis).

As per claims 13, 28 and 43

Johnson does not specifically teach the statements are generated from one or more object-oriented parameterized templates.

Gillis teaches the statements are generated from one or more object-oriented parameterized templates (abstract & column 2, lines 6-22).

Therefore it would have been obvious to one skilled in the art at the time the invention was made that the statements are generated from one or more object-oriented parameterized templates as taught by Gillis to ensure a consistent process pertaining to each particular asset with respect to the selection of information.

9. Claims 15, 30 and 45 are rejected under 35 U.S. C. 103(a) as being unpatentable over US Patent Number 7,082,411 to Johnson et al (hereinafter Johnson) in view of US Patent Application Number US2004/0039688 to Sulkowski et al (hereinafter Sulkowski) in view of US Patent Number 6,405,189 to Gillis (hereinafter Gillis) further in view of US Patent Number 6,625,624 to Chen et al. (hereinafter Chen).

As per claims 15, 30 and 45

Johnson does not specifically teach the statements include one or more macros.

Gillis teaches the statements include plain text (column 2, lines 14-16). Gillis however does not specifically teach one or more macros.

Chen teaches plain text contains macro (column 5, lines 49-50).

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Therefore it would have been obvious to one skilled in the art at the time the invention was made that the statement include one or more macros as taught by Gillis and Chen to enable the statements to be executable.

10. Claims 9, 11, 14, 24, 26, 29, 39, 41 and 44 are rejected under 35 U.S. C. 103(a) as being unpatentable over US Patent Number 7,082,411 to Johnson et al (hereinafter Johnson) in view of US Patent Application Number US2004/0039688 to Sulkowski et al (hereinafter Sulkowski) in view of US Patent Number 5,551,027 to Choy et al (hereinafter Choy).

As per claims 9, 24 and 39

Johnson does not specifically teach the selector function groups the selection criteria, so that the grouped selection criteria are processed in parallel.

Choy teaches the selector function groups the selection criteria, so that the grouped selection criteria are processed in parallel (column 7, lines 12-34 & column 25, lines 24-54).

Therefore it would have been obvious to one skilled in the art at the time the invention was made that the selector function groups the selection criteria, so that the grouped selection criteria are processed in parallel as taught by Choy in order to process similar selections together concurrently so that fewer passes need to be made through the tables in the relational database.

As per claims 11, 26 and 41

Johnson does not specifically teach the grouped selection criteria comprise similar selection criteria.

Choy teaches teach the grouped selection criteria comprise similar selection criteria (column 2, lines 26-29 & 36-43).

Therefore it would have been obvious to one skilled in the art at the time the invention was made that teach the grouped selection criteria comprise similar selection criteria as taught by Choy to improve efficiency in selecting the same criteria.

As per claims 14, 29 and 44

Johnson does not specifically teach the statements are optimized so that the statements are executed in parallel by the database management system.

Choy teaches the statements are optimized so that the statements are executed in parallel by the database management system (column 7, lines 12-34 & column 25, lines 24-54).

Therefore it would have been obvious to one skilled in the art at the time the invention was made that the statements are optimized so that the statements are executed in parallel by the database management system as taught by Choy in order to

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process similar selections together concurrently so that fewer passes need to be made through the tables in the relational database.

11. Claims 10, 25 and 40 are rejected under 35 U.S. C. 103(a) as being unpatentable over US Patent Number 7,082,411 to Johnson et al (hereinafter Johnson) in view of US Patent Application Number US2004/0039688 to Sulkowski et al (hereinafter Sulkowski) in view of US Patent Number 5,551,027 to Choy et al (hereinafter Choy) and further in view of US Patent Application Number US2003/0147552 to Foran et al (hereinafter Foran).

As per claims 10, 25 and 40

Johnson does not specifically teach the grouped selection criteria are processed independently.

Foran teaches the grouped selection criteria are processed independently (paragraph [0045], lines 8-14).

Therefore it would have been obvious to one skilled in the art at the time the invention was made that the grouped selection criteria are processed independently as disclosed by Foran to ensure that each selection is processed correctly without chancing mixing up selections which would skew results.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSICA L. LEMIEUX whose telephone number is (571)270-3445. The examiner can normally be reached on Monday-Thursday 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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